Surrogate's Court, Erie County, New York.

IN THE MATTER OF THE JUDICIAL SETTLEMENT OF THE ACCOUNTS OF

.....

.....J. Edward Nash.....

.....as executor.....

OF

.....William H. Talbert,.....

Deceased.

To the Surrogate's Court of the said County of Erie:

The Petition of.....J. Edward Nash.....of the .....City of Buffalo.....in the County of Erie and State of New York, respectfully shows:

Your petitioner allege that on the.....24th.....day of.....January,.....193 0. Letters.....testamentary.....of the.....Estate of.....William H.Talbert.....late of the.....City of.....Buffalo.....in the said County of Erie, deceased, were duly issued to your petitioner , out of this Court.

Your petitioner further allege that all claims and demands against the said deceased have been paid and satisfied, except such as are hereinafter mentioned, and that the real or personal property of said deceased is not subject to the payment of any transfer tax.....proceedings pending.....

Your petitioner further allege that the following named persons, with their ages, places of residence and post-office addresses, and relationship to the deceased, set opposite their names respectively.....are the only persons.....interested in the estate of said deceased, or in the judicial settlement of the accounts of your petitioner, to wit:

Name.	Age.	Relationship.	Residence and Post Office Address.
Elizabeth Talbert	full	widow	116 Northland Ave., Bflo.N.Y.
Sarah May Talbert Keelan	full	daughter	519 Michigan Ave. Buffalo,N.Y.
Mary Yvette Keelan	16yr	daughter grand-/	2 St. Nicholas Pl. New York City.
Anna Walton Jordan	full	niece	11 Elsie Pl, Buffalo, N. Y.

Warrant Abstract
Special Examiner.

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Your petitioner further allege that the sureties in your petitioner's official bond are.....

and that they have waived the issue and service on them of a citation in this proceeding, which waiver is hereunto annexed and forms a part of this petition.

And your petitioner further allege that all of the above named persons are of sound mind and upwards of the age of twenty-one years, except as hereinbefore set forth.

Wherefore, your petitioner pray for proceedings in this Court to enable him as such executor to render an account and have a decree made and entered judicially settling and allowing the same, and that a citation issue herein and that all such process and proceedings may be had and taken thereon as the law may require.

Dated this 7th day of February, 1935.

J. Edward Nash

State of New York,
ERIE COUNTY,
CITY OF BUFFALO. } ss.

J. Edward Nash

being duly sworn, say that he has read the foregoing petition by him subscribed, and knows the contents thereof, and that the same is true to the knowledge of deponent, except as to matters therein stated to be alleged on information and belief, and that as to those matters he believes it to be true.

Subscribed and sworn to before me, this
7th day of Feb. 1935.

Bessie C. Bradley

Commissioner of Deeds in and for the City of Buffalo.
Notary Public, Erie Co., N. Y.

J. Edward Nash

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Estate No.....

Surrogate's Court

ERIE COUNTY

In the Matter of the Judicial Settlement of the Accounts of

J. Edward Nash

OF

William H. Talbert
Deceased.

PETITION FOR

JUDICIAL SETTLEMENT

Drew & Drew
Attorney for Petitioner.

395 Ellicott Sq.

FILED
SURROGATE'S OFFICE
FEB 8 1935
ERIE COUNTY

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WE, ...

the sureties in the official bond of.....

as.....of.....of

.....late of the.....of

.....N. Y., deceased, do hereby waive the issue and service on each of us of a citation to attend the judicial settlement of the accounts of said legal representative or any other proceeding that may be taken by said legal representative in the Surrogate's Court of Erie County, New York, relative to the estate of said deceased, and we consent that said legal representative may have such a decree made and entered therein as he may deem proper and necessary, without further notice to us.

Dated this.....day of.....193.....

.....

.....

.....

.....

State of New York,
ERIE COUNTY,
CITY OF BUFFALO. } ss.

On this.....day of.....193....., before me personally came .....

to me known to be the persons described in and who executed the foregoing waiver and consent, and severally acknowledged the execution thereof.

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Surrogate's Court, Erie County, New York.

IN THE MATTER OF THE JUDICIAL SETTLEMENT OF THE ACCOUNTS OF

Rev. J. Edward Nash

as executor

OF

William H. Talbert,

Deceased.

To the Surrogate's Court of the said County of Erie:

The Petition of Rev. J. Edward Nash of the City of Buffalo in the County of Erie and State of New York, respectfully shows:

Your petitioner alleges that on the 24th day of January 1930 Letters Testamentary of the estate of William H. Talbert late of the City of Buffalo in the said County of Erie, deceased, were duly issued to your petitioner , out of this Court.

Your petitioner further alleges that all claims and demands against the said deceased have been paid and satisfied, except such as are hereinafter mentioned, and that the real or personal property of said deceased is ~~xx~~ subject to the payment of any transfer tax for which proceadings are now pending

Your petitioner further alleges that the following named persons, with their ages, places of residence and post-office addresses, and relationship to the deceased, set opposite their names respectively are the only persons interested in the estate of said deceased, or in the judicial settlement of the accounts of your petitioner, to wit:

Name.	Age.	Relationship.	Residence and Post Office Address.
✓ Elizabeth Brown Talbert,	full,	widow,	118 Northland Avenue, Buffalo, N.Y.
Sarah May Talbert Keelan	"	daughter,	518 Michigan Avenue, "
Mary Yvette Keelan,	13 years,	granddaughter,	" " "
✓ Anna Jordon Walton,	full,	niece,	11 Elsie Place, "
State Federation of Colored Women's Clubs			118 Northland Avenue "

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Your petitioner further alleges that the sureties in your petitioner's official bond are

and that they have not had the issue and service on them of a citation in this proceeding, which waiver is hereunto annexed and forms a part of this petition.

And your petitioner further alleges that all of the above named persons are of sound mind and upwards of the age of twenty-one years, except as hereinbefore set forth.

Wherefore, your petitioner prays for proceedings in this Court to enable him as such Executor to render an account and have a decree made and entered judicially settling and allowing the same, and that a citation issue herein and that all such process and proceedings may be had and taken thereon as the law may require.

Dated this 30th 14th day of March December 1932

J. Edward Nash

State of New York,
ERIE COUNTY,
CITY OF BUFFALO. } ss.

Rev. J. Edward Nash

being duly sworn, say that he has read the foregoing petition by him subscribed, and knows the contents thereof, and that the same is true to the knowledge of deponent, except as to matters therein stated to be alleged on information and belief, and that as to those matters he believes it to be true.

Subscribed and sworn to before me, this
14th day of December 1932

Florence B. Farrington

Commissioner of Deeds in and for the City of Buffalo.
Notary Public, Erie Co., N. Y.

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WE,.....

the sureties in the official bond of.....of

as.....of.....

.....late of the.....of

.....N. Y., deceased, do hereby waive the issue and service on each of us of a citation to attend the judicial settlement of the accounts of said legal representative or any other proceeding that may be taken by said legal representative in the Surrogate's Court of Erie County, New York, relative to the estate of said deceased, and we consent that said legal representative may have such a decree made and entered therein as he may deem proper and necessary, without further notice to us.

Dated this.....day of.....192.....

.....

.....

.....

.....

State of New York,
ERIE COUNTY,
CITY OF BUFFALO. } ss.

On this.....day of.....192....., before me personally came.....

to me known to be the persons described in and who executed the foregoing waiver and consent, and severally acknowledged the execution thereof.

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(Original)

Estate No.....

12/29

Surrogate's Court

ERIE COUNTY

In the Matter of the Judicial Settlement of the Accounts of

Rev. J. Edward Nash, as

Executor

OF

William H. Talbert,

Deceased.

PETITION FOR

JUDICIAL SETTLEMENT

Florence Farrington,

Attorney for Petitioner.

Office & Post Office Address,

212 Richmond Avenue,

Buffalo, N.Y.

FILED IN THE OFFICE OF THE SURROGATE OF ERIE COUNTY DEC 29 1892

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Surrogate's Court, Erie County.

IN THE MATTER OF THE JUDICIAL SETTLEMENT OF THE ACCOUNTS OF

J. Edward Nash, Exr.,

—OF—

William H. Talbert,

Deceased.

ACCOUNT.

To the Surrogate's Court of the County of Erie:

I, J. Edward Nash

of the City of Buffalo, N.Y., do render the following account of my proceedings as executor of the last will and testament of William H. Talbert, late of the city of Buffalo in said county, deceased.

On the 24th day of January, 193.0 Letters testamentary were issued to me

An inventory of the personal estate of said deceased was duly made by the appraisers appointed by this Court, and the same was filed in this Court on the day of, 193.....

Notice to creditors to present claims against the estate of said deceased was duly published, pursuant to an order of this Court, proof of which is herewith filed; and the time to present the same has elapsed.

Proceedings to assess the transfer tax have been duly had and the tax so assessed has been paid are now pending

SCHEDULE A, hereto annexed, contains a statement of all the property of the said deceased, sold at public or private sale, with the prices and manner of sale, also a statement of all the debts and demands due the estate of said deceased, which have been collected and the amount collected; also a statement of all money, securities and other property belonging to the estate of said deceased, which have come to my possession or knowledge, and the disposition made thereof; also a statement of all interest increase and income received for which I am legally accountable.

No assets other than those herein set forth in Schedule A have come to my possession or knowledge and all interest, income and increase in value is accounted for.

SCHEDULE B, hereto annexed, contains a statement of all property of said deceased unsold, and the reason why the same is unsold, and its value; also a statement of all debts and demands due the said deceased uncollected, together with the reason why the same remains uncollected; and also a statement of all property belonging to the estate of said deceased, lost by accident, without any default or negligence, the cause of its loss and its value.

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SCHEDULE C, hereto annexed, contains a statement of all moneys paid by.....me.....for funeral and other necessary expenses for said estate, together with the reasons and objects of such expenditure.

SCHEDULE D, hereto annexed, contains a statement of all the claims of creditors presented to .....me....., together with the names of the claimants, the nature of the claim, and its amount, and the amount paid thereon. It also contains a statement of all claims of creditors of the deceased unpaid, rejected or disputed by.....me.....

SCHEDULE E, hereto annexed, contains a statement of all property delivered and moneys paid to persons and corporations entitled thereto, as legatees, husband or widow, or next of kin, or distributees, with their names and the times of such delivery or payment.

SCHEDULE F, hereto annexed, contains the names of all persons entitled to a share or interest in the estate of the deceased, and opposite their respective names their places of residence, the nature of their share or interest, and their legal status to the deceased, whether widower, widow, next of kin, distributees, or legatees.

SCHEDULE G, hereto annexed, contains a statement of all other facts affecting the administration of said estate or the rights of the parties interested therein.

.....I.....charge.....myself.....as follows:

With amount of property coming to my hands, as shown by Schedule A,				
.....I.....credit.....myself.....as follows:				
with amount of loss on sales, property on hand and debts not collected.		105	00	
and cash . . . . . as per Schedule B, ...		2288	17	
		~~$2393~~	~~17~~	
" Expenses of Administration as per Schedule C, . . .		1113	97	
" Debts paid as per Schedule D, ...		205	02	
" Legacies or distributive shares paid, ...		2288	17	
		3607	16	
less total assets		~~2393~~	~~17~~	
Leaving a balance of		$ 1213	99	deficit

The above mentioned balance is subject to the payment of commissions and expenses of this accounting.

J. Edward Nash

.....

.....

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SCHEDULE A -continued.

4. interest increase and income for which executor is responsible . . . . . None

S C H E D U L E "B".

1. Property unsold, and reason:. . . .

all of the property of the deceased remains unsold because all of the real estate was disposed of by deceased's will in specific bequests and because the only item of personal property other than cash was the diamond and emerald ring, which was also devised specifically. The other pieces of jewelry are of nominal value only. This diamond and emerald ring is still in my possession and is estimated as worth $100.00

2. debts and demands due and not collected . . . . none

3. property of estate lost, etc. . . . . none

S C H E D U L E "C".

1. Moneys paid for funeral and other necessary expenses:

Funeral expenses, Walkers Undertakers . . .	$506.00
Dr. Lewis, treatment for last illness . . .	129.00
Medicines, last illness	25.00
electric machine rental, last illness . . .	35.00
Postal telegraph, for telegrams	1.77
Walton's flower shop, for flowers	10.00
Florence Farrington, Esq., on account legal services as attorney for executor	25.00
Florence Farrington, Esq., balance legal services in closing up the estate, ...	100.00
Florence Farrington, Esq., legal services, in transfer tax proceeding	125.00
Fees and disbursements of executor	157.20
Total	$1113.97

S C H E D U L E "D".

1. Creditors and amounts paid:

Ralph Butler, papering 116 Northland	$144.12
" " " " "	25.00
Dr. Reynolds, medical services	3.00
J. C. Tingler Son	11.70
Grove Roofing Co., repairs to Northland . . .	10.20
Stark Mfg. Co., care of awnings	11.00
Total	$205.02

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S C H E D U L E "A".

1. All property sold at public or private sale, etc., ... none

2. Debts and demands due the estate, and the amount collected:

(a) Accrued salary to date of death . . $91.31

(b) sick benefit 60.00

(c) Civil Service insurance 1800.00

(d) thrift account, Buffalo Trust . . . 94.74

(e) checking account " 41.00

(f) savings account, Community Bank . . 1.12

Total $2088.17

3. Money, securities and other property of deceased, which have come to my knowledge or possession, and the disposition made thereof:

(a) cash, as itemized above, paid directly to the widow, by her to be used to pay the debts of deceased $2088.17

(b) real estate, as follows:

116-118 Northland, lot 50 x 140, with two two-family dwellings, estimated market value, $14,000.00, subject to mortgage $3000.00 . . . . . 11000.00

life tenancy to widow, remainder to daughter and granddaughter

(c) 515-519-521 Michigan Avenue, lot 65 X 100, three small houses, estimated market value 2500.00
life tenancy to daughter, remainder to State Fed. of Colored Women's Clubs.

(d) Lots 7-8, block 15, Tremont Pl., Portland Oregon, vacant, estimated market value . . .300.00 to grand-daughter

(e) For est Lawn lot No. 173, Block A . . . . . 100.00 to grand-daughter

(f) diamond and emerald ring, devised to Anna Jordon Walton, estimated value 100.00

(g) furniture, tools, etc, estimated . . . . . 200.00 to Widow, and daughter

(h) miscellaneous trinkets, nominal value . . . . 5.00 to grand-daughter

total $16,269.13

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Schedule D.-continued.

2. Claims of creditors unpaid, rejected or disputed:

Buffalo Trust Co. box rent	$15.00
Gazette, Cleveland,O., three years subscription to.2/13/30.	6.00
City of Portland,Ore. bonded assessment . .	171.18
" " " " " " . .	14.34
Multnomah County, Ore., 1929 County Tax . .	10.21
F. Ehrlich, plumbing repairs 521 Michigan, balance of account	5.12
City of Buffalo, 1929 City Tax, 515 Michigan	102.37
County of Erie, 1930 County Tax, Michigan Avenue property	85.23
Dr. A. D. Carpenter, medical svcs, Nov. and December, 1929	48.50
Iroquois Gas Corp. at 515 Michigan Ave. 1/7/30 to 4/18/30	20.60
County of Erie, 1930 County Tax, 84 Clinton Street	81.21
City of Buffalo, paving tax, 84 Clinton . . .	43.58
Total	$603.34

SCHEDULE "E".

1. Property delivered and moneys paid, etc.

(a) To Elizabeth Brown Talbert, widow;
Cash, as itemized under Schedule A, section 2. . . . . $2088.17

Use and possession of premises 116-118 Northland Avenue, with household furnishings, the latter of which she is given full ownership under the will, valued at . . 150.00

(b) To Sarah May Talbert-Keelan, daughter:
Use and possession of premises 515-519- 521 Michigan, with the furniture, fixtures and tools in full ownership, valued at 50.00
Total $2288.17

SCHEDULE "F".

1. The names of all persons entitled to a share in the estate of deceased, with their residence and legal status, etc.

Elizabeth Brown Talbert, widow, 118-Northland Avenue, Buffalo, money and life tenant of 116-118 Northland Avenue, and furniture.

Mrs. Sarah May Talbert-Keelan, daughter, 521 Michigan Avenue, life tenancy Michigan Avenue, remainder estate of Northland Avenue, furniture, Spingarn medal, rights of deceased in Douglass

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Schedule F - continued.

Home at Anacosta.

Mary Yvette Keelan, grand-daughter, residing with her father in New York City, real estate, jewelry, papers, etc.

Anna Walton Jordon, niece, 11 Elsie Place, Buffalo, N.Y., diamond and emerald ring.

State Federation of Colored Women's Clubs. Buffalo, N.Y., remainder estate Michigan Avenue property.

S C H E D U L E "G".

I respectfully show to this Court that the deceased makes mention in his will of Grand Island properties, rights and interests and that neither I nor my attorney after diligent search have been able to locate any such property, rights or interests. We have examined the papers left by deceased, and have made inquiries among relatives, and have examined the records in the Erie County Clerk's office, and can find no trace of any property on Grand Island owned by the deceased.

The deceased also makes mention in his will of his rights, benefits and privileges, if any, in the Frederick Douglass Home at Anacosta, Washington, D.C., and neither I nor my attorney have been able to discover that the deceased had any such rights, or any rights or privileges therein not extended to the public at large

The deceased also mentions parenthetically having previously deeded to his grandaughter the premises No. 84 Clinton Street, Buffalo, N.Y. The Court will note that in the list of debts not paid is an item for taxes levied against this property, and it is included here because in said deed the deceased reserved to himself the life use of said No. 84 Clinton Street, and the tax item charged herein is for taxes and assessments which became liens before the decedent's death.

I respectfully show the Court that it appears that the total amount of debts owed by decedent at the time of his death, to which should be added the amounts necessarily expended or to be ex-

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pended in the administration of the estate, considerably exceeds the amount of cash in the estate, which accounts for the fact that so many of deceased's debts still remain unpaid, and also accounts for the fact that the diamond and emerald ring mentioned in his will still remains in my possession and undistributed, this being the only article of personal property of deceased of substantial value. In this connection I respectfully request that the Court consider these matters and give its direction for the sale or other disposition of whatever property it is deemed advisable to convert into cash for the purpose of paying the outstanding debts for which the estate of the deceased is liable.

I respectfully show to this Court that Florence Farrington, Esq., an attorney at law, having her office at No. 212 Richmond Avenue, Buffalo, N.Y., has rendered legal services to this estate in the matter of the probate of the will of deceased, examining records in the Erie County Clerk's office, obtaining information by correspondence with Portland, Oregon, and San Francisco, California, regarding the status of ownership and liens of the various pieces of property mentioned in the will of deceased, and in attending to the details of this accounting and judicial settlement.

I respectfully show to the Court that these legal services have not been paid for, except the sum of $25.00 heretofore paid to said attorney, and that I have included an item of $100.00 in addition for my said attorney and request that this sum be allowed on this judicial settlement, in the discretion of the Court.

I respectfully show that I have been advised by my said attorney that a transfer tax proceeding must be had in this estate and I have included in the items of disbursements the sum of $125.00 to be paid to my said attorney for this purpose and request that this amount be allowed therefor.

I respectfully show to the Court that I have been advised by my attorney, upon her examination of the records, that the pro-

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perty located at No. 515-519-521 Michigan, which was bequeathed the life use thereof to Mrs. Sarah May Talbert-Keelan and the remainder to the New York State Federation of Colored Women's Clubs, was assessed in 1930 for approximately $15,000.00. The Court will note that this property is listed herein with a market value of $2500.00, for the reason that efforts have been made by Mrs. Keelan and others to find a purchaser for said property and the same has been listed with several of the leading real estate firms in this city, and the highest price that Mrs. Keelan could obtain as an offer for said property was the said $2500.00. I have examined the said property, and my attorney has also. It consists of about 65 feet front by 105 feet deep, on Michigan Avenue, 142 feet south of Broday, on which lots are three small houses, all in very bad repair both outside and inside. So that even in its present condition it would be difficult to obtain any larger price for it, to the best of my information and belief.

I further respectfully show to the Court that upon the estimated values of the various items of property in the estate, and the amounts of the various debts still unpaid, some of which will be noticed to be taxes, upon which interest is constantly accruing and thereby increasing the amount thereof, as set out in the inventory-account herewith presented, shown by the re-capitulation to which this schedule is attached, there is a deficit of personal property totalling approximately $1213.99, which amount is necessary to pay the still unpaid debts of the estate

J. Edward Nash

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